

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) Case No. 4:09CR00745HEA(AGF)
)
MICHAEL BRCIK,)
)
Defendant.)

ORDER AND SPEEDY TRIAL FINDING

This matter is before the Court on Defendant's Motion for continuance of pretrial motion hearing and extension of time within which to file motions [Doc. #15], filed on January 7, 2010. For good cause shown,

IT IS HEREBY ORDERED that Defendant's Motion for continuance of pretrial motion hearing and extension of time within which to file motions [Doc. #15] is **GRANTED**. Defendant shall have to and including **January 15, 2010** to file any pretrial motions or waiver of motions. The government shall have until **January 25, 2010** to respond.

IT IS FURTHER ORDERED that the pretrial evidentiary hearing presently set for January 19, 2010, is continued and rescheduled for **Tuesday, January 26, 2010, at 9:00 a.m.** Counsel for both parties and Defendant Michael Brcik, himself, are required to attend.

Speedy Trial Finding: For the reasons set out in Defendant's motion, the Court finds that to deny Defendant's request for such additional time would deny counsel for

Defendant the reasonable time necessary for effective investigation and preparation of pretrial motions, taking into account the exercise of due diligence, and that the ends of justice served by granting Defendant's request for additional time outweigh the best interest of the public and Defendant in a speedy trial, and therefore, the time granted to Defendant to investigate and prepare pretrial motions, or a waiver thereof, is excluded from computation of Defendant's right to a speedy trial pursuant to 18 U.S.C. §§ 3161(c)(1) and 3161(h)(7).


AUDREY G. FLEISSIG
UNITED STATES MAGISTRATE JUDGE

Dated this 8th day of January, 2010.